IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 22912 of 2004

Between:

1 Smt. Sakhinabi, W/o. Mohd. Abdul Basheer,
R/o. H.No. 1-7-12, TD Gutta, Mahaboobnagar of Mahaboobnagar District.
2 M.A. Qayyum, S/o. Mohd. Abudl Basheer,
R/o. H.No. 1-7-12, TD Gutta, Mahaboobnagar of Mahaboobnagar District.

... PETITIONERS

AND

1 The Mandal Revenue Officer-Cum-Recording Authority Under ROR, Gadwal

Mandal of Mahaboobnagar District.
2 Venkateshwar, S/o. Venkanna,
R/o. Parla Village, Kallur Mandal of Kurnool District.
3 Venkanna, S/o. Abba Laxmanna,
R/o. Parla Village, Kallur Mandal of Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or orders more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 1st respondent in initiating proceedings Nos. C.3792, C.3793, and C.3794 of 2004 dated 5-11-2004 in proposing to amend the entries of the Agricultural land in Sy.No. 61 admeasuring 18 acres 19 Guntas and in sy.No.63, 64 and 65 ademeasuring 3 acres 21 guntas situated at Ananthapur Village, Gadwal Mandal, Mahaboobnagar District on the application filed by the 2nd and 3rd respondents, as illegal,

unlawful, arbitrary, against the principles of natural justice and against Section 4(1) and Section 5(3) of AP Rights in Land and Pattedar passbooks Act 1971 and consequently direct the 1st respondent not to cause any amendment to the ROR of the above mentioned lands.

Counsel for the Petitioners: MR.M.DAMODAR REDDY

Counsel for the Respondent No.1: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Petitioners, who claim to be the owners, pattedars and possessors of various extents of agricultural land in Sy. Nos. 61, 63, 64 and 65 at Ananthapur village, Gadwal Mandal, Mahaboobnagar District, are challenging the show cause notice dated 05-11-2004 issued by the first respondent wherein it was stated that all persons interested or affected should show-cause on or before the expiry of 30 days from 05-11-2004 as to why the amendment should not be carried out and to appear on or before 06-11-2004 in connection with the enquiry in respect of the same.

2. Since the notice issued to the petitioners is only a show cause notice, and as the petitioners without submitting explanation to the said show cause notice, had approached this Court in a posthaste manner, this writ petition challenging a show cause notice, cannot be entertained.

3. The writ petition is therefore dismissed. However, petitioners are at liberty to file their explanation to the impugned show cause notice issued by the respondents, within four weeks from today. On filing the explanation, respondents are at liberty to pass appropriate orders on the same expeditiously, in accordance with law.

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N. V. RAMANA, J

December 10, 2004

MRR / TVK

To:

1 The Mandal Revenue Officer-Cum-Recording Authority Under ROR, Gadwal

Mandal of Mahaboobnagar District.
2 Two C.C. s toe the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

3 Two C.D. Copies.